

PIPE JC109  
FEB 09 2004

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/621,648
Filing Date	July 17, 2003
First Named Inventor	Vanessa MJ McCallum
Art Unit	2872
Examiner Name	Nguyen, Thong Q.
Attorney Docket Number	00-15-01 US

Total Number of Pages in This Submission

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (2 copies) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Bela Fishman
Signature	<i>Bela Fishman</i>
Date	February 6, 2004

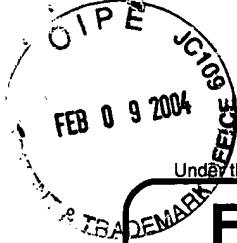
## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Debbie Kus		
Signature	<i>Debbie Kus</i>	Date	February 6, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) 130

**Complete if Known**

Application Number	10/621,648
Filing Date	July 17, 2003
First Named Inventor	Vaness MJ CCallum
Examiner Name	Nguyen, Thong Q.
Art Unit	2872
Attorney Docket No.	00-15-01 US

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-0895

Deposit Account Name: Varian, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					( \$ ) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims:  - 20\*\* =  X  18 =  0

Independent Claims:  - 3\*\* =  X  86 =  0

Multiple Dependent:  290 =

**Large Entity** **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b> ( \$ ) 0				

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description</b>	<b>Fee Paid</b>
<b>Fee Code</b>	<b>Fee (\$)</b>	<b>Fee Code</b>	<b>Fee (\$)</b>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b>					<b>(\$)</b> 130

**SUBMITTED BY** (Complete if applicable)

Name (Print/Type)	Bella Fishman	Registration No. (Attorney/Agent)	37,485	Telephone	650.424.5086
Signature		Date	February 6, 2004		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No. 00-15-01 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Vanessa MJ McCallum, et al.

Serial No.: 10/621,648

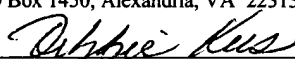
Filed: July 17, 2003

Title: SPECTROMETER ATTACHMENTS  
AND PHOSPHORESCENCE DECAY  
MEASUREMENT

Examiner: Nguyen, Thong Q.

Art Unit: 2872

I, Debbie Kus, hereby certify that on February 6, 2004, this correspondence is being deposited with the United States Postal Service as first class mail, in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
Signature Date Signed 2/6/04

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR § 1.48(b)**

Sir:

Applicants hereby petition the Commissioner to correct the inventorship of the above-captioned application. The subject patent application is a divisional patent application of a parent patent application No. 09/831,244. The parent application was jointly invented by Vanessa MJ McCallum, Martin Kaselis and Hans H. Egli. However, due to the restriction requirement applied by the Examiner to the parent application the Applicant filed the divisional application canceling the claims prosecuted in the parent case. As a result, Martin Kaselis is not an inventor of the invention being claimed in the pending claims of the subject application.

Pursuant to the provisions of 37 CFR §§ 1.48(b) and 1.17(i), the Commissioner is authorized to charge the required fee of \$130.00 to Deposit Account No. 50-0895, and any such additional fees, which may be required in relation to this filing.

02/17/2004 DEMMANU1 00000013 500895 10621648  
01 FC:1460 130.00 DA

Respectfully submitted,



Bella Fishman  
Attorney for Applicants  
Registration No. 37,485

Dated: February 6, 2004

Varian Inc.  
3120 Hansen Way, D-102  
Palo Alto, CA 94304  
(650) 424-5806

FEB 09 2004

Docket No. 00-15-01 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Vanessa MJ McCallum, et al.

Serial No.: 10/621,648

Filed: July 17, 2003

Title: SPECTROMETER ATTACHMENTS  
AND PHOSPHORESCENCE DECAY  
MEASUREMENT

Examiner: Nguyen, Thong Q.

Art Unit: 2872

I Debbie Kus, hereby certify that on February 6, 2004, this correspondence is being deposited with the United States Postal Service as first class mail, in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Signature

Date Signed

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

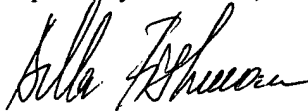
**AMENDMENT PURSUANT TO 37 CFR § 1.48(b) TO CORRECT INVENTORSHIP**

Sir:

By this amendment, correction of inventorship is sought by deletion of the name of Martin Caselis due to the cancellation of the claims as stated in Preliminary Amendments submitted to the US PTO on July 16, 2003.

The subject application is a division of the parent patent application No.09/831,244, which was required for restriction and for which original filed claims 20- 30 inclusive were elected for parent prosecution. Claims 20-30 were canceled by the Preliminary Amendments. Martin Caselis is not an inventor of Claims 1 – 19 that are the subject of the present application as filed. A petition accompanies this paper to the Commissioner includes a statement identifying Martin Caselis as a person who is not an inventor of the claims of the subject application and whose names is being deleted.

Respectfully submitted,



Bella Fishman  
Agent for Applicants  
Registration No. 37,485

Dated: February 6, 2004

Varian, Inc.  
3120 Hansen Way, D-102  
Palo Alto, CA 94304  
(650) 424-5806